

IN THE DRAWINGS:

The attached drawing includes a change to FIG. 1 to conform the reference numerals used in Fig. 1 with the reference numerals used in the text of the specification. The sheet containing FIG. 1 replaces the original sheet including FIG. 1.

For the convenience of the Examiner, an annotated sheet showing the changes made is attached. Approval of these changes to the drawings is respectfully requested.

REMARKS

In the November 3, 2005 Office Action, the Examiner noted that claims 1-24 were pending in the application and rejected all of the claims under 35 U.S.C. § 103(a). In rejecting the claims, U.S. Patents 5,742,039 to Sato et al.; 5,126,936 to Champion et al.; and 5,974,399 to Giuliani et al. (References A, F and G, respectively) were cited. Claims 1-4 have been canceled and claims 26-28 have been added. Thus, claims 5-28 remain in the case. The rejections are traversed below.

Rejections under 35 U.S.C. § 103

In item 2 on pages 2-3 of the Office Action, claims 1 and 15 were rejected under 35 U.S.C. § 103(a) as unpatentable over Giuliani et al. in view of Sato et al. and in item 4 on pages 2-7 of the Office Action, claim 2-14 and 16-24 were rejected as unpatentable over Giuliani et al. in view of Sato et al. and further in view of Champion et al. Claims 1-4 have been canceled, claims 5-9 have been amended to depend from one of the new claims 25-28 and claims 10-24 have been amended to change "thereby" to "whereas ..." as suggested by the Examiner in the Response to Arguments on pages 17-18 of the Office Action.

The Response to Arguments stated that the limitations added at the end of claims 10-24 were not given patentable weight, due to the use of the word "thereby" as opposed to "whereas." To ensure that these limitations are given patentable weight, the claims have been amended to use the word that the Examiner prefers. In addition, the limitations added to the first element or operation in each of these claims in the previous amendment has been deleted and those terms that were introduced in the now deleted limitations that appear following "whereas" are now introduced with an indefinite article.

As a result of the amendments, it is submitted that the rejections in the November 3, 2005 Office Action are moot. It is respectfully requested that the limitations at the end of claims 10-24 be given patentable weight, taking into consideration the description at page 31, lines 10-17 of the application regarding one example of how operations could be performed that meet the limitations recited at the end of these claims.

New Claims 25-28

Claims 25-28 recite the invention using alternative language in an effort to clarify for the Examiner that a system according to the invention enables the purchase and sale of commodities at a desirable price and under favorable conditions by disclosing information of

commodities, of which the intention for transaction is concealed from other companies until an appropriate time in accordance with the purchase and sale situation of a transaction partner or by using information of commodities which is usually a secret for use in a transaction at an appropriate time. This is accomplished by storing information identifying commodities with prices and information relating to public disclosure in association with a first transaction partner in a first registered commodity data storing unit, such as commodity data storage 201 or 301 in Fig. 1. A second registered commodity data storing unit, such as registered commodity data unit 102, stores similar information for a plurality of potential transaction partners. When matching information is found for a first commodity in both the first and second registered commodity data storing units, and information identifying a second commodity stored in the second registered commodity data storing unit is associated with the first commodity, the first and second commodities are designated as tradable candidates, if information identifying the second commodity is present as either publicly disclosed or publicly non-disclosed in the first registered commodity data storing unit, by referring to the information identifying the second commodity associated with the first commodity in the second registered commodity data storing unit.

As shown in Figs. 3, 5, and 7 of the application, data relating to commodities to be transacted in combinations is stored as price change conditions. As described on pages 15-20 with reference to Fig. 10 for a first commodity having commodity code SN97, a match is found in step ST2. However, in step ST3 it is determined that the desired prices of the seller and purchaser for the first commodity do not agree. However, the change conditions include purchasing the first commodity SN97 with a second commodity KH96. In step ST4 it is determined that the purchaser is also interested in purchasing the second commodity KH96 at a price and quantity matching that of the seller which results in a change in the price of the first commodity SN97 that is acceptable to both transaction partners.

As explained above, the application has a configuration regarding commodities to be transacted in combinations and a configuration for determining the presence or absence of the commodities, which can be transacted, based on the company's commodity data including a non-disclosed commodity, when a transaction condition is set to the first commodity, which is the same commodity handled by the other company, in the disclosed commodity of the company. By these configurations, commodity information, which is not usually disclosed, is used only on prescribed occasions, and therefore, information of commodities, which is usually a secret from other transaction partners, can be used at an appropriate time.

Summary

It is submitted that the references cited by the Examiner, taken individually or in combination, do not teach or suggest the features of the present claimed invention. Thus, it is submitted that claims 5-28 are in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 4/3/06

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on 4/3/2006
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Date: 4/3/06
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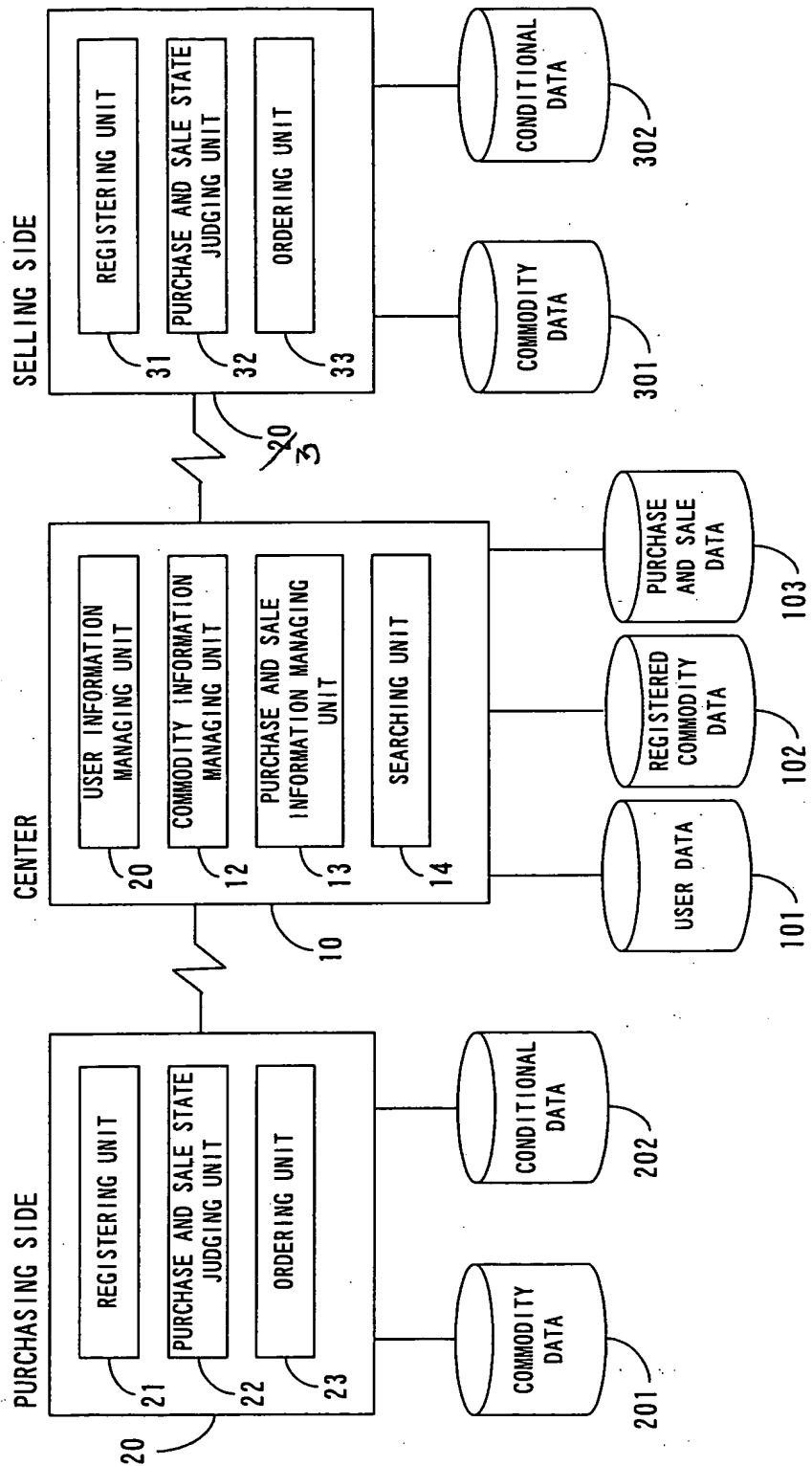


FIG. 1